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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,312	03/31/2000	Michael Becker	5478	1264

7590

03/12/2004

Patrick J O'Shea
Samuels Gauthier & Stevens LLP
225 Franklin Street Suite 3300
Boston, MA 02110

EXAMINER

GRIER, LAURA A

ART UNIT	PAPER NUMBER
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2644

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DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,312

Applicant(s)

BECKER ET AL.

Examiner

Laura A Grier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,7,8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3,5,7,8 and 10 is/are allowed.
- 6) ☒ Claim(s) 12-18 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 19-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6 and 8.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

1. The indicated allowability of claims 12-18, 22-24 is withdrawn in view of the newly discovered reference(s) to Watanabe, U. S. Patent No. Rejections based on the newly cited reference(s) follow.

Claim Objections

2. Claim 5 is objected to because of the following informalities: claim 5 is dependent upon cancelled claim (cancelled claim 4). Appropriate correction is required.

3. Claim 18 is objected to because of the following informalities: line 3, recites "the motor vehicle sound system". There is insufficient antecedent basis. Appropriate correction is required.

4. Claim 25 is objected to because of the following informalities: line 4, recites "the scope". There is insufficient antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 12-17** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 12, line 8, recites “the first sound generating input”. It is unclear as whether the 1st sound system input unit and the multimedia data generating units is one in the same. Thus the claim language makes this limitation indefinite.

Regarding claim 13-17, they are dependent upon claim 12.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 18 and 22-25** are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe, U. S. Patent No. 60310241.

Regarding **claims 18, 22-23 and 25**, Watanabe discloses a transmission right assigning method and communication system. Watanabe’s disclosure comprises a plurality of devices (1-1...1-n) with priority values, wherein the devices interact between each other based upon their respective priority levels via an interface, which reads on a first and second input unit that receives a 1st priority value indicative of a 1st scope of authority and a 2nd priority value indicative of a 2nd scope of authority, respectively, a transmission line (3) communication line, which reads on a system bus; a network system including a DVD system, CD system, a portable telephone, car speed sensor, navigation system, and audio speaker, etc. coupled to this communication line, all of which are functional based upon its priority number are controlled by

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the transmission right assigning unit (col. 5, lines 25-54, col. 9, lines 62-67, col. 10, lines 1-22, col. 12, lines 57-64 and figure 1), wherein it inherent that this system in used in a vehicle as evident by the that a car sensor is a part of the network components.

Regarding claim 20, Watanabe discloses everything claimed as applied above (see claim 18). Watanabe discloses the transmission right assigning unit which reads automatically providing a 1st and 2nd priority value.

Regarding claim 24, Watanabe discloses everything claimed as applied above (see claim 22). Watanabe discloses each device having a memory (col. 5, lines 40-49)for storing the transmittal data, which reads priority values and functional scope data

Allowable Subject Matter

9. Claims 1-3, 7-8, 10, are allowed.

10. Claims 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

11. The applicant did not provide any arguments. The remarks only addressed the 112 amended changes and the amended changes claim objections previously cited.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A Grier whose telephone number is (703) 306-4819. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

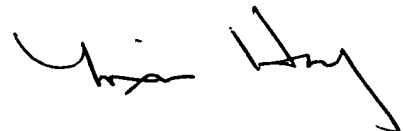
Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

LAG
March 8, 2004



**MINSUN OH HARVEY
PRIMARY EXAMINER**